

# Notice of Allowability

Application No.

10/764,787

Examiner

Eric Woods

Applicant(s)

STAMM ET AL.

Art Unit

2628

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 11/15/2006.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see Remarks pages 1-7 (applicant's numbering pages 9-15) and claim amendments, filed 11/15/2006, with respect to various rejections and objections have been fully considered and are persuasive.

Firstly, the objections to the drawings and specification stand withdrawn. Such objections were tightly coupled with reference to Figure 6 and paragraphs [0057-0060]. Since applicant has corrected the inadvertent typographical error that led to the apparent contradictions to which the objections were addressed and satisfactorily explained the relationships defined therein, the withdrawal of said objections is justified. Such amendment has not been found to introduce new matter and is accepted.

The rejection of claim 12 under 35 USC 112, first paragraph, stands withdrawn in view of applicant's amendment to correct the singular / plural deficiency.

The rejection of claims 1, 12, and 20 under 35 USC 112, second paragraph as indefinite for three issues stands withdrawn since such language has been removed and/or amended. Specifically, for point one, regarding the "at least one of" language, the recitation has been removed. For point two, the ambiguity of singular / plural referents with respect to the interspersed points has been corrected. For point three, the ambiguity of the simplified graphical object has been made clear via amendment (by noting that it is derived from the initial graphical object).

The rejections of claims 1-23 under 35 USC 103(a) for obviousness stands withdrawn. The amendments changed the scope of the claim such that the combination of references does not adequately apply.

Further, the claims clearly require that the decomposed or simplified graphical object consist of straight line segments that pass through preexisting control points, **even when such control points are off the actual outline of the object itself.** This is the distinguishing feature.

Applicant has argued convincingly that while Sander does divide curves into sets of points, the straight line segments thusly created have endpoints that were part of the original curve. In other words, there is no inclusion of off-line or off-curve control points. Examiner agrees with this conclusion.

Upon further consideration, examiner cited to Park for additional discussion of off-axis control points with respect to Bezier curves. Applicant discusses this point on page 5 (applicant's page numbered 13) in the Remarks. However, examiner now agrees that Park does not teach, "...that a control point which is off the outline of a graphical object will lie *on* the edge of a simplified object." (Remarks as above), and that it could be regarded as teaching away, since it teaches the removal of off-axis or off-line control points.

#### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tom Bonacci on 27 February 2007.

In the claims,

In claim 1,

Line 1, delete **"In"** and insert **"A method in"**

Line 2, delete **", a method"**

Line 10, delete **"and"**

Line 16, delete **","** and insert **"; and"** after **"object"**

Line 17, insert **"using the simplified control data to display the graphical object on a display device."**

In claim 12,

Line 1, delete **"In"** and insert **"A method in"**

Line 2, delete **", a method"**

Line 10, delete **"and"**

Line 15, delete **","** and insert **"; and"** after **"object"**

Line 16, insert **"using the simplified control data to display the graphical object on a display device."**

In claim 20, delete the claim and replace with the following:

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A computer program product comprising one or more physical computer-readable media having stored therein computer-executable instructions that, when executed by a processor, cause a computing system to:

- Identify a plurality of local extrema on the outline of the graphical object;
- Identify a plurality of sets of local extrema, each local extremum in a set of local extrema being on a common edge of the outline of the graphical object, each set of local extrema including one or more local extremum from the plurality of identified local extrema;
- Determine that control points interspersed between local extrema or at the local extremum of each set of local extrema are on a common edge of a simplified outline including when the control points are off of the outline of the graphical object; and
- Generate simplified control data that represents an outline of the common edges of a simplified graphical object, the simplified graphical object having been derived from the graphical object, the simplified control data defining a common edge including straight line segments defined by and through the control points that are at least one of interspersed between local extrema or at the local extremum, including when the control points are off of the outline of the graphical object; and
- Use the simplified control data to display the graphical object on a display device.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art does not show the creation of simplified graphical objects (e.g. font characters) wherein the simplification process actually creates new straight line segments that actually pass through off-axis (off-line) control points in the old graphical object. This is the key inventive feature.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Woods whose telephone number is 571-272-7775. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eric Woods

March 1, 2007

  
ULKA CHAUHAN  
SUPERVISORY PATENT EXAMINER